

### **REMARKS**

This Amendment is being filed in response to the Office Action dated July 9, 2008. Claims 1, 2, 4-14, 16, 18, 20-24, 26-32, and 34-54 are currently pending, of which claims 1, 11, 20, 31, 41, 44, and 47 are independent. Claims 3, 15, 17, 19, 25, and 33 were previously canceled.

Claims 1, 11, 20, 31, 41, 44, and 47 have been amended.

#### **I. Examiner Interview Summary**

Applicant thanks the Examiner for the courtesy of the telephone interview conducted on October 6, 2008. During the interview, the cited references and the claims were discussed.

#### **II. Summary of Claim Rejections**

In the Office Action:

- 1) claims 1-2, 4, 50, and 52 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter;
- 2) claims 1-2, 4-10, 20-24, 26-30, 41-46, and 50-52 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention;
- 3) claims 1-2, 5-10, 31, 34-43, and 52 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,829,759 to Davis et al. (hereinafter "Davis");
- 4) claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of U.S. Pre-Grant Publication No. 2003/0023755 to Harris et al. (hereinafter "Harris");
- 5) claims 11-14, 16, 44-46, and 53-54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis;

- 6) claims 18, 32, and 50-51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of “Towards Portable Source Code Representations Using XML” by Mamas et al. (hereinafter “Mamas”);
- 7) claims 20-21, 23, 26-29, and 47-49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of U.S. Patent No. 5,507,030 to Sites (hereinafter “Sites”);
- 8) claim 22 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Sites and in further view of Official Notice;
- 9) claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Sites and in further view of U.S. Patent No. 5,797,011 to Kroll et al. (hereinafter “Kroll”); and
- 10) claim 30 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Sites and in further view of Mamas.

### **III. 35 U.S.C. § 101 rejections**

In the Office Action, claims 1-2, 4, 50, and 52 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Claim 1 includes “identifying a first cross-reference in the first set of cross-references associated with a segment of the text to be displayed in the input description using the electronic device” and “searching the second set of cross-references in the output description to identify a second cross-reference that matches the first cross-reference using the electronic device.” Applicant respectfully urges that claim 1 recites statutory subject matter.

Claims 2, 4, 50, and 52 depend from and incorporate all of the features of claim 1. Accordingly, Applicant respectfully urges that claims 2, 4, 50, and 52 are allowable for at least the same reasons as set forth above with respect to claim 1.

For at least the reasons set forth above, Applicant respectfully requests that the above 35 U.S.C. § 101 rejection of claims 1-2, 4, 50, and 52 be withdrawn.

#### **IV. 35 U.S.C. § 112 rejections**

In the Office Action, claims 1-2, 4-10, 20-24, 26-30, 41-46, and 50-52 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 1, 20, 41, and 44 have been amended to recite “a display” instead of “the display.” Accordingly, Applicant respectfully urges that claims 1, 20, 41, and 44 particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 2, 4-10, 50, and 52 depend from and incorporate all of the features of claim 1. Claims 21-24 and 26-30 depend from and incorporate all of the features of claim 20. Claims 42-43 and 51 depend from and incorporate all of the features of claim 41. Claims 45-46 depend from and incorporate all of the features of claim 44. Accordingly, Applicant respectfully urges that claims 2, 4-10, 21-24, 26-30, 42-43, 45-46, and 50-52 are allowable for at least the same reasons as set forth above with respect to claims 1, 20, 41, and 44.

For at least the reasons set forth above, Applicant respectfully requests that the above 35 U.S.C. § 112 rejections of claims 1-2, 4-10, 20-24, 26-30, 41-46, and 50-52 be withdrawn.

#### **V. 35 U.S.C. § 102(e) rejections based on Davis**

In the Office Action, claims 1-2, 5-10, 31, 34-43, and 52 were rejected under 35 U.S.C. § 102(e) as being anticipated by Davis (Office Action, page 8). Applicant respectfully traverses the rejection.

##### **A. Claims 1 and 41**

Applicant respectfully urges that Davis fails to disclose at least the following features of claims 1 and 41: “receiving a textual input description, the input description including text to be displayed and a first set of textual cross-references associated with segments of the text to be displayed, each textual cross-reference including one or more identifiers for the associated

segment of the text to be displayed,” “receiving a textual output description, the output description including text to be displayed and a second set of textual cross-references associated with segments of the text to be displayed, each textual cross-reference including one or more identifiers for the associated segment of the text to be displayed” and “searching the second set of cross-references in the output description to identify a second cross-reference that matches the first cross-reference using the electronic device, the second cross-reference matching the first cross-reference when at least one identifier in the second cross-reference matches at least one identifier in the first cross-reference, the second cross-reference being associated with a segment of the text to be displayed in the output description that corresponds to the segment of the text to be displayed in the input description.”

Davis does not disclose textual input or output descriptions that include “text to be displayed” and a set of “textual cross-references associated with segments of the text to be displayed” because the alleged cross-references in Davis are not textual. In addition, the alleged cross-references do not include “one or more textual identifiers for the associated segment of the text to be displayed.”

Furthermore, Davis does not disclose searching to match cross-references by matching the textual identifier in the first cross-reference with the textual identifier in the second cross-reference because Davis’ alleged cross-references are not textual and do not include textual identifiers.

For at least the reasons set forth above, Applicant respectfully urges that Davis does not disclose each and every feature of claims 1 and 41. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 102(e) rejections of claims 1 and 41 be withdrawn.

**B. Claims 2, 5-10, 42-43, and 52**

Claims 2, 5-10, and 52 depend from and incorporate all of the features of claim 1. Claims 42-43 depend from and incorporate all of the features of claim 41. Accordingly, Applicant respectfully urges that claims 2, 5-10, 52, and 42-43 are allowable for at least the same reasons as set forth above with respect to claims 1 and 41, respectively. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 102(e) rejections of claims 2, 5-10, 42-43, and 52 be withdrawn.

**C. Claim 31**

Applicant respectfully urges that Davis fails to disclose at least the following features of claim 31: “search the second set of cross-references to identify a second [textual] cross-reference that matches the first [textual] cross-reference, the second cross-reference matching the first cross-reference when at least one [textual] identifier in the second cross-reference matches at least one [textual] identifier in the first cross-reference.” As discussed above with respect to claims 1 and 41, Davis fails to disclose *the second cross-reference matching the first cross-reference when at least one identifier in the second cross-reference matches at least one identifier in the first cross-reference* because Davis does not disclose textual cross-references with one or more textual identifiers for the associated segment of the textual input or textual output code.

For at least the reasons set forth above, Applicant respectfully urges that Davis does not disclose each and every feature of claim 31. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 102(e) rejection of claim 31 be withdrawn.

**D. Claims 34-40**

Claims 34-40 depend from and incorporate all of the features of claim 31. Accordingly, Applicant respectfully urges that claims 34-40 are allowable for at least the same reasons as set forth above with respect to claim 31. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 102(e) rejections of claims 34-40 be withdrawn.

**VI. 35 U.S.C. § 103(a) rejections****A. Claim 4**

In the Office Action, claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Harris (Office Action, pages 9-10). Applicant respectfully urges that Davis and Harris, taken either singly or in any reasonable combination, do not disclose or suggest all of the features of claim 4.

Claim 4 depends on claim 1. As noted above, Davis fails to disclose or suggest various features of claim 1. For example as noted above with respect to claim 1, Davis fails to disclose or suggest at least “searching the second set of cross-references in the output description to identify a second cross-reference that matches the first cross-reference using the electronic device, the second cross-reference matching the first cross-reference when at least one identifier in the second cross-reference matches at least one identifier in the first cross-reference.” Since these features are also present in claim 4, Davis also fails to disclose or suggest these features in claim 4.

Applicant respectfully urges that the teachings of Harris do not supplement Davis in such a way as to cure Davis’ failure to disclose or suggest the above features. For example, Harris fails to disclose or suggest at least “searching the second set of cross-references in the output description to identify a second cross-reference that matches the first cross-reference using the electronic device, the second cross-reference matching the first cross-reference when at least one identifier in the second cross-reference matches at least one identifier in the first cross-reference,” which is present in claim 1.

Since claim 4 depends on and incorporates all of the features of claim 1, Harris does not disclose or suggest at least these features in claim 4. Thus, Harris does not cure the shortcomings of Davis with respect to claim 4, and Applicant respectfully urges that Davis and Harris, taken either singly or in any reasonable combination, do not disclose or suggest all of the features of claim 4.

Accordingly, Applicant respectfully requests that the above 35 U.S.C. § 103(a) rejection of claim 4 be withdrawn.

**B. Claims 11-14, 16, 44-46, and 53-54**

In the Office Action, claims 11-14, 16, 44-46, and 53-54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis (Office Action, page 10). Applicant respectfully traverses this rejection.

i. **Claims 11 and 44**

Applicant respectfully urges that Davis fails to disclose or suggest at least the following features of claim 11: “searching the second set of cross-references in the second description to identify a second cross-reference that matches the first cross-reference, the second cross-reference matching the first cross-reference when at least one identifier in the second cross-reference matches at least one identifier in the first cross-reference,” and the following features of claim 44: “searching the second set of cross-references in the output description to identify a second cross-reference that matches the first cross-reference, the second cross-reference matching the first cross-reference when at least one identifier in the second cross-reference matches at least one identifier in the first cross-reference.”

As discussed above with respect to claims 1 and 41, Davis fails to disclose *the second cross-reference matching the first cross-reference when at least one identifier in the second cross-reference matches at least one identifier in the first cross-reference* because Davis does not disclose textual cross-references with one or more textual identifiers for the associated displayed text element.

In addition, Davis does not disclose “identifying a first cross-reference in the first set of cross-references associated with the first displayed text element.” The Examiner refers to Davis, col. 21, lines 2-5, which discusses the result of receiving a line number and using the line number “to find the display entries associated with that line number in the source hash table” (col. 20, line 66 to col. 21, line 2). The description pertains to step 716 in Davis’ Figure 19B, which is a “flow diagram illustrating a method for generating a display” (emphasis added).

Claims 11 and 44, however, recite that the “identifying a first cross-reference in the first set of cross-references” is for a “first displayed text element” in which a cursor has been displayed. Applicant respectfully urges that Davis does not disclose or suggest “identifying a first cross-reference in the first set of cross-references associated with the first displayed text element” after the text has been displayed and a cursor is placed in the text (e.g., as a result of user input). As can be seen in Figure 19B in Davis, only the “display line list” is sent to the GUI. Thus, it seems that the structures referenced by the Examiner would not be available to the GUI, so that Davis cannot teach “identifying a first cross-reference in the first set of cross-

references” as the Examiner has suggested for a “first displayed text element” in which a cursor has been displayed.

For at least the reasons set forth above, Applicant respectfully urges that Davis does not disclose or suggest all of the features of claims 11 and 44. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 103(a) rejections of claims 11 and 44 be withdrawn.

**ii. Claims 12-14, 16, 45-46, and 53-54**

Claims 12-14, 16, and 53-54 depend from and incorporate all of the features of claim 11. Claims 45-46 depend from and incorporate all of the features of claim 44. Accordingly, Applicant respectfully urges that claims 12-14, 16, 53-54, and 45-46 are allowable for at least the same reasons as set forth above with respect to claims 11 and 44, respectively. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 103(a) rejections of claims 12-14, 16, 45-46, and 53-54 be withdrawn.

**C. Claims 18, 32, and 50-51**

In the Office Action, claims 18, 32, and 50-51 were rejected under 35 U.S.C. 103(a) as being unpatentable over Davis in view of Mamas. Applicant respectfully urges that Davis and Mamas, taken either singly or in any reasonable combination, do not disclose or suggest all of the features of claims 18, 32, and 50-51.

Claim 18 depends on and incorporates all of the features of claim 11. Claim 32 depends on and incorporates all of the features of claim 31. Claim 50 depends on and incorporates all of the features of claim 1. Claim 51 depends on and incorporates all of the features of claim 41. As noted above, Davis fails to disclose or suggest various features of base claims 11, 31, 1, and 41. For example, Davis fails to disclose or suggest “the second cross-reference matching the first cross-reference when at least one identifier in the second cross-reference matches at least one identifier in the first cross-reference.” Since the features in claims 11, 31, 1, and 41 are also present in claims 18, 32, 50, and 51, respectively, Davis also fails to disclose or suggest this feature in claims 18, 32, 50, and 51.



Applicant respectfully urges that the teachings of Mamas do not supplement Davis in such a way as to cure Davis' failure to disclose or suggest the above features. For example, Mamas fails to disclose or suggest "the second cross-reference matching the first cross-reference when at least one identifier in the second cross-reference matches at least one identifier in the first cross-reference." Thus, Mamas does not cure the shortcomings of Davis with respect to claims 18, 32, 50, and 51.

In addition, the use of XML as taught by Mamas does not cure Davis' shortcoming with respect to "the first description including displayed text elements and a first set of non-displayed textual cross-references associated with the displayed text elements," as recited in claim 11, "a textual input description including textual input code and a first set of textual cross-references associated with segments of the textual input code," as recited in claim 31, "the input description including text to be displayed and a first set of textual cross-references associated with segments of the text to be displayed," as recited in claim 1, and "the input description including text to be displayed and a first set of textual cross-references associated with segments of the text to be displayed," as recited in claim 41. Mamas discusses using XML to translate code. Mamas' XML representation, an example of which is shown on pages 176-177, is not a representation that includes both "text to be displayed" and "textual cross-references associated with segments of the text to be displayed," as recited in claims 1 and 41, both "displayed text elements" and "non-displayed textual cross-references associated with the displayed text elements," as recited in claim 11, or both "textual input code" and "textual cross-references associated with segments of the textual input code", as recited in claim 31.

For at least the reasons set forth above, Applicant respectfully urges that Davis and Mamas, taken either singly or in any reasonable combination, do not disclose or suggest all of the features of claims 18, 32, 50, and 51. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 103(a) rejection of claims 18, 32, 50, and 51 be withdrawn.

**D. Claims 20-21, 23, 26-29 and 47-49**

In the Office Action, claims 20-21, 23, 26-29 and 47-49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Sites. Applicant respectfully traverses the rejections.

**i. Claims 20 and 47**

Applicant respectfully urges that Davis and Sites, taken either singly or in any reasonable combination, fail to disclose or suggest at least the following feature of claims 20 and 47: “at least one of the first segment or the second segment being associated with a first cross-reference and including a second cross-reference associated with the portion in the first segment or the second segment that is connected through the connection line.”

An example embodiment of the structure recited in claims 20 and 47 may be seen in the Specification, page 12, lines 17-20. The first segment or the second segment is associated with a first cross-reference, such as the entire `for` loop is associated with the cross reference `<ref no="221" "231">`. Within the `for` loop is a portion that is associated with a second cross-reference, such as `<ref no="221">`.

The Examiner alleges that “a user selection” in Davis could “span[] multiple elements” (Office Action, page 22). However, selecting multiple elements in Davis does not lead to selecting a segment that is associated with a single cross-reference. Instead, each element in Davis is associated with its own cross-reference. Davis does not disclose or suggest a structure in which the segment that is associated with a cross-reference includes a cross-reference that is associated with a portion of the segment.

The Examiner also alleges that there would be motivation to combine Davis and Sites because “ ‘highlighting’ would be insufficient to convey an accurate representation of the translation” (page 22). Applicant respectfully disagrees. In Davis, “corresponding groups of elements 90 are aligned in the source and display windows 74 and 76 to allow simultaneous viewing of source elements 86 and their translations 88” (col. 8, lines 11-14). As illustrated in Davis’ Figure 3, the display in the left pane includes vertical space between each element so that each element, which includes the comments for the element, is top-aligned with its corresponding element in the right pane. Thus, Davis already provides a display with “an accurate representation of the translation,” negating the premise for the motivation to combine.

The Examiner also alleges that “in the case of a multiple element selection, confusion may arise if only a single correspondence indicator (e.g. highlighting) is used” (Office Action,

page 4). However, as discussed above, Davis aligns corresponding elements, so that highlighting is not the only correspondence indicator used.

Furthermore, Davis discloses that “[i]n response to a user selection of an element, the corresponding source and translation elements 94 are highlighted” (col. 8, lines 17-18) (emphasis added). Thus, Davis discloses merely single element selection, not multiple element selection. Given the context of Davis, which is to debug automatic code translation, single element selection makes sense since a user is likely to only need to focus on one line or element of the code at a time. The Examiner has not provided a motivation for selecting multiple elements in Davis.

For at least the reasons set forth above, Applicant respectfully urges that Davis and Sites, taken either singly or in any reasonable combination, do not disclose or suggest all of the features of claims 20 and 47. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 103(a) rejection of claims 20 and 47 be withdrawn.

**ii. Claims 21, 23, 26-29 and 48-49**

Claims 21, 23 and 26-29 depend on and incorporate all of the features of claim 20. Claims 48-49 depend on and incorporate all of the features of claim 47. Accordingly, Applicant respectfully urges that claims 21, 23, 26-29 and 48-49 are allowable for at least the same reasons as set forth above for claims 20 and 47. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 103(a) rejections of claims 21, 23, 26-29 and 48-49 be withdrawn.

**E. Claim 22**

In the Office Action, claim 22 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Sites and in further view of Official Notice. As noted above, Davis and Sites, taken either singly or in any reasonable combination, fail to disclose or suggest all of the features of claim 20. For example, Davis and Sites fail to disclose or suggest at least the following feature of claim 20: “at least one of the first segment or the second segment being associated with a first cross-reference and including a second cross-reference associated with the portion in the first segment or the second segment that is connected through the connection line.”

Applicant respectfully urges that the Official Notice does not supplement Davis and Sites in such a way as to cure Davis and Sites' failure to disclose or suggest the above feature.

Claim 22 depends on and incorporates all of the features of claim 20. Since, as discussed above, Davis, Sites, and the Examiner's Official Notice fail to disclose or suggest all of the features of claim 20, Davis, Sites, and the Examiner's Official Notice also fail to disclose or suggest all of the features of claim 22.

For at least the reasons set forth above, Applicant respectfully urges that Davis, Sites and the Official Notice, taken either singly or in any reasonable combination, do not disclose or suggest all of the features of claim 22. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 103(a) rejection of claim 22 be withdrawn.

**F. Claim 24**

In the Office Action, claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Sites and in further view of Kroll. As noted above, Davis and Sites, taken either singly or in any reasonable combination, fail to disclose or suggest all of the features of claim 23. For example, Davis and Sites fail to disclose or suggest at least the following feature of claim 23: "at least one of the first segment or the second segment being associated with a first cross-reference and including a second cross-reference associated with the portion in the first segment or the second segment that is connected through the connection line." Applicant respectfully urges that Kroll does not supplement Davis and Sites in such a way as to cure Davis and Sites' failure to disclose or suggest the above feature.

Claim 24 depends on and incorporates all of the features of claim 23. Since, as discussed above, Davis, Sites, and Kroll fail to disclose or suggest all of the features of claim 23, Davis, Sites and Kroll also fail to disclose or suggest all of the features of claim 24.

For at least the reasons set forth above, Applicant respectfully urges that Davis, Sites and Kroll, taken either singly or in any reasonable combination, do not disclose or suggest all of the features of claim 24. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 103(a) rejection of claim 24 be withdrawn.

**G. Claim 30**

In the Office Action, claim 30 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Sites and in further view of Mamas. As noted above, Davis and Sites, taken either singly or in any reasonable combination, fail to disclose or suggest all of the features of claim 26. For example, Davis and Sites fail to disclose or suggest at least the following feature of claim 26: “at least one of the first segment or the second segment being associated with a first cross-reference and including a second cross-reference associated with the portion in the first segment or the second segment that is connected through the connection line.” Applicant respectfully urges that Mamas does not supplement Davis and Sites in such a way as to cure Davis and Sites’ failure to disclose or suggest the above features.

Claim 30 depends on and incorporates all of the features of claim 26. Since, as discussed above, Davis, Sites, and Mamas fail to disclose or suggest all of the features of claim 26, Davis, Sites, and Mamas fail to disclose or suggest all of the features of claim 30.

For at least the reasons set forth above, Applicant respectfully urges that Davis, Sites and Mamas, taken either singly or in any reasonable combination, do not disclose or suggest all of the features of claim 30. Therefore, Applicant respectfully requests that the above 35 U.S.C. § 103(a) rejection of claim 30 be withdrawn.

**CONCLUSION**

In view of the above amendments and arguments, Applicant believes the pending application is in condition for allowance. Should the Examiner feel that a teleconference would expedite the prosecution of this application, the Examiner is urged to contact the Applicant's attorney at (617) 227-7400.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. MWS-095RCE. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

Dated: October 9, 2008

Respectfully submitted,

Electronic signature: /Elaine Yang/  
Elaine Yang  
Registration No.: 60,054  
LAHIVE & COCKFIELD, LLP  
One Post Office Square  
Boston, Massachusetts 02109-2127  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney/Agent For Applicant